MAR 2 9 2005 163 ease type a plus sign (+) inside this box  $\Pi$ Approved for use through 09/30/2000. OMB 0651-0031 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 10/029,113 Application Number **TRANSMITTAL** December 19, 2001 **Filing Date FORM** Jaime E. RAMIREZ-VICK First Named Inventor (to be used for all correspondence after initial filing) 1637 Group/Art Unit Young J. KIM Examiner Name Total Number of Pages in This Submission pgs. Attorney Docket Number 25527-0001C1 ENCLOSURES (check all that apply) Assignment Papers After Allowance Communication Fee Transmittal Form (for an Application) to Group Appeal Communication to Board Fee Attached Drawing(s) of Appeals and Interferences 'Appeal Communication to Group Amendment / Response Licensing-related Papers (Appeal Notice, Brief, Reply Brief) After Final Petition Routing Slip (PTO/SB/69) Proprietary Information and Accompanying Petition Version with Markings Showing Petition to Convert to a Status Letter Provisional Application Affidavits/declaration(s) Power of Attorney, Revocation Additional Enclosure(s) Change of Correspondence Address (please identify below): Extension of Time Request PTO Form 1449 w/8 references Terminal Disclaimer (4 submitted) and a return Information Disclosure Statement postcard. Small Entity Statement Certified Copy of Priority Request for Refund Document(s) Response to Missing Parts/ Remarks Incomplete Application **AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES** Response to Missing DUE IN CONNECTION WITH THIS PAPER. Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY OR AGENT Firm James A. Fox, Reg. No. 38,455 Individual name HELLER EHRMAN WHITE & McAULIFFE LLP Signature Date 25213 Customer Number: March 28, 2005 CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail" (EV 582 629 156 US) on the date indicated below and addressed to: Mail Stop: Amendment, P.O. Box 1450, Alexandria, VA 22313-1450

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## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

## MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

•				·			
		This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):					
			(1) continu	It is being filed within 3 months of the application filing date and is other than a ed prosecution application under § 1.53(d)  OR			
			(2)	It is being filed within 3 months of entry of a national stage OR			
			(3)	It is being filed before the mail date of the first Office Action on the merits OR			
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		(4) It is being filed before request for continued examinat	the mailing of a first Office Action after the filing of a ion under § 1.114.					
	filing d stage a action	late of a national application; (2) s set forth in §1.491 in an internation	being filed after the latest of: (1) three months beyond the three months beyond the date of entry of the national ational application; or (3) the mailing date of a first Office ling date of the earlier of a final office action under §1.113 then:					
		a certification as specified in §	1.97(e) is provided below; or					
		a fee of \$180.00 as set forth in \$1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.						
	office a	37 C.F.R. $\S1.97(d)$ . If this statement is being filed after the mailing date of the earlier of a final office action under $\S1.113$ or a notice of allowance under $\S1.311$ , but before payment of the issue fee, then:						
	A.	a certification as specified in §1.97(e) is completed below; and						
	B.	a petition under 37 C.F.R. §1.9 submitted herewith; and	7(d) requesting consideration of this statement is					
$\boxtimes$	C.	a fee of \$180.00 as set forth in the payment of other papers file	$\S1.17(i)(1)$ is authorized below, enclosed, or included with ed together with this statement.					
	Fee Authorization. The Commissioner is hereby authorized to charge the above-referenced fees of \$180.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Attorney's Docket No. 25527-0001 C1).							
Dated:	March 2	28, 2005	Respectfully submitted,  By:  James Fox (Reg. No./38,455)					
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## HELLER EHRMAN WHITE & MCAULIFFE LLP

275 Middlefield Road

Menlo Park, California 94025-3506

Telephone: (650) 324-7000 / Facsimile: (650) 324-0638

					ATTORNEY DOCKET	APPLICATION N	0.		
· INF	FORMA	ATION DISCLOS	<b>URE STATE</b>	MENT	25527-0001C1	10/029,113			
	Fi	(37 CFR 1.56, 1.97	, and 1.98)		APPLICANT(S)				
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	• n '	THEET 1 OF	1		FILING DATE	GROUP	GROUP		
	MAR 2 8	3			December 19, 2001	16	1637		
12	<u> </u>	J. F.	U	S PATENT	DOCUMENTS	٠.			
† EX'R INITIAL	REPRAD	PATENT NUMBER	DATE (MO/YR)		NAME	CLASS/ SUBCLASS	FILING DATE (If appropriate)		
	A1	6,197,515	03/06/2001		Bamdad et al.	435/6			
	A2	5,942,397	08/24/1997		Tarlov et al.	435/6			
	А3	4,895,955	01/23/1990		Ford et al.	548/303			
	A4	5,622,828	04/22/1997		Parma et al.	435/6			
			FORI	EIGN PATE	NT DOCUMENTS		<del></del>		
† EX'R INITIAL	REF.#	PATENT NUMBER	DATE (MO/YR)	COUNTRY		TRANSLATION (YES/NO)			
	B1	WO 99/24645 05/20/1999			PCT				
	B2	WO 96/27680	09/12/1996	PCT					
	В3	WO 99/42827	08/26/1999		PCT				
				OTHER DO	OCUMENTS		- · · · · · · · · · · · · · · · · · · ·		
† EX'R INITIAL	* REF.#		CITATION (Au	tle, Journal/Book Title, Date, Pertinen	t Pages, etc.)				
	C1	Perry-O'Keefe et al., "Peptide nucleic acid pre-gel hybridization: An alternative to Southern hybridization", Proc. Natl. Acad. Sci., Vol. 93, pp 14670-14675, December 1996.							
EXAMINER'S SIGNATURE					DATE CONSIDERED				
					1				

<sup>†</sup> EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609. Line through citation if not in conformance and not considered. *Include copy of this form in next communication to applicant*.

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<sup>\*</sup> If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 USC 120. 37 CFR 1.98(d).